

EXHIBIT 3

Kayla Whaling Highly Confidential

February 28, 2025

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: UBER TECHNOLOGIES,)
INC., PASSENGER SEXUAL) CASE NO. 3:23-MD-03084-CRB
ASSAULT LITIGATION)

SUPERIOR COURT FOR THE STATE OF CALIFORNIA
COUNTY OF SAN FRANCISCO - UNLIMITED JURISDICTION

COORDINATION PROCEEDINGS)
SPECIAL TITLE (Rule 3.550)) CASE NO. CJC-21-005188
)
In re: Uber Rideshare Cases)

HIGHLY CONFIDENTIAL
ORAL AND VIDEOTAPED DEPOSITION OF
KAYLA WHALING
February 28, 2025

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1 systems --

2 MS. ABRAMS: Objection, nonresponsive.

3 Q. (By Ms. Abrams) One of your roles on the Uber
4 communications team was to kill stories about dangerous
5 drivers, correct?

6 MS. RUBIN: Objection, form.

7 A. No. I think that's a mischaracterization.

8 Q. (By Ms. Abrams) Okay. What -- what is
9 incorrect about that statement?

10 A. We would talk to reporters and provide
11 information that -- that we knew for their story and --

12 Q. But you would agree that one of your roles at
13 Uber was to keep Uber's name out of negative stories in
14 the press, correct?

15 MS. RUBIN: Objection, form.

16 A. Again, our role was to communicate with
17 reporters and address any questions that they had on a
18 specific story or case that they were looking at.

19 MS. ABRAMS: Objection, nonresponsive.

20 Q. (By Ms. Abrams) And as part of communicating
21 with the press, you'd agree that one of your roles was
22 to keep Uber's name out of negative press stories,
23 correct?

24 MS. RUBIN: Objection to form.

25 A. Our role is to communicate and address

February 28, 2025

1 each other informed on different stories that we were
2 dealing with.

3 Q. (By Ms. Abrams) So, at a minimum, Tracey,
4 Susan and you would receive these summaries and discuss
5 them?

6 MS. RUBIN: Objection to form.

7 A. I don't remember discussing them, but I do --
8 but we did keep each other informed on stories or
9 inquiries that -- that would come in.

10 Q. (By Ms. Abrams) Okay. And the purpose of
11 killing stories was to keep Uber out of negative press;
12 is that correct?

13 MS. RUBIN: Objection to form.

14 A. So some of these terms are just communications
15 terms. And so what our role was here, was to work with
16 each reporter and explain, also correct accurate [sic]
17 information, and -- and keep track of specific inquiries
18 that were coming in.

19 MR. CUBBERLY: Objection, nonresponsive;
20 move to strike.

21 Q. (By Ms. Abrams) The purpose of killing stories
22 was to keep Uber out of bad press, correct?

23 MS. RUBIN: Objection to form.

24 A. No, I don't agree with that statement. We
25 would provide accurate information and push back on

February 28, 2025

1 things that might be inaccurate that the reporter was
2 asking about, which you can see in some of the -- the
3 work that -- saying that there was incorrect information
4 or there was something that happened off platform. And
5 so we were providing accurate information back to the
6 reporter and then kept track of what the result was.

7 Q. (By Ms. Abrams) Okay. Right under Tracey,
8 right -- on the West, it says: We killed the story by
9 delaying confirmation.

10 Do you see that?

11 A. I don't know where you are.

12 Q. First page, right under Tracey, on the last
13 sentence before the bullet points.

14 A. I see that written there.

15 Q. So by delaying confirmation of information,
16 that -- when a reporter was reaching out to Uber, the
17 story didn't run; it was killed, correct?

18 MS. RUBIN: Objection to form.

19 A. Well, I'm not Tracey.

20 Q. (By Ms. Abrams) Okay. Well --

21 A. And that wouldn't --

22 Q. -- you reviewed this, correct?

23 MS. RUBIN: Objection to form.

24 A. I kept track of my own region.

25 Q. (By Ms. Abrams) Did you ever discuss with

February 28, 2025

1 the witness:

2 That the original transcript was delivered to
3 Rachel Adams, Esq.

4 That a copy of the certificate was served on
5 all parties and/or the witness shown herein on
6 _____.

7 I further certify that pursuant to FRCP Rule
8 30(f)(1) that the signature of the deponent:

9 X was requested by the deponent or a party
10 before the completion of the deposition and that
11 signature is to be before any notary public and returned
12 within 30 days from date of receipt of the transcript.

13 If returned, the attached Changes and Signature Page
14 contains any changes and the reasons therefor;

15 _____ was not requested by the deponent or a
16 party before the completion of the deposition.

17 I further certify that I am neither attorney
18 or counsel for, nor related to or employed by any of the
19 parties to the action in which this deposition is taken,
20 and further that I am not a relative or employee of any
21 attorney or counsel employed by the parties hereto, or
22 financially interested in the action.

23 That the amount of time used by each party at the
24 deposition is as follows:

25 Rachel Adams, Esq. - 6:49
Sara Craig, Esq. - 0:00

February 28, 2025

1 Tiffany R. Ellis, Esq. 0:00
Beth Wilkins, Esq. - 0:00
2 Layne Hilton, Esq. 0:00
Walt Cummberly, Esq. - 0:02
3 Brian Abramson, Esq. - 0:00
Jacqueline P. Rubin, Esq. - 0:00
4

5 That pursuant to information given to the
6 deposition officer at the time said testimony was taken,
7 the following includes counsel for all parties of
8 record:

9 Rachel Adams, Esq., Sara Craig, Esq. and
10 Tiffany R. Ellis, Esq., Attorney for Plaintiffs.

11 Beth Wilkins, Esq., Layne Hilton, Esq. and
Steve Rotman, Esq., Attorney for MDL Plaintiffs.

12 Walt Cummberly, Esq. and Brian Abramson, Esq.,
13 Attorneys for Defendant MDL AND JCCP PLAINTIFFS.

14 Jacqueline P. Rubin, Esq., and Elizabeth
Brandt, Esq., Attorney for Defendants.

15 CERTIFIED TO BY ME on this 13th day of March,
16 2025.

17 

18 Jamie K. Israelow, CSR, RMR, CRR
Texas CSR 3801
19 Expiration Date: 4/30/2025
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